

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
**Zucherman, et al.** )  
Serial No.: **10/790,651** )  
Filed: **March 1, 2004** )  
For: **Method for Lateral Implantation of** )  
**Spinous Process Spacer** )  
Docket No: **5910-168** )

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

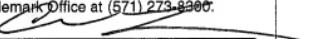
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5 March 2009

Date

Cora Fedornock

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RESPONSE TO FINAL OFFICE ACTION

This paper is being filed in response to the Final Action mailed 8 January 2009.

Reconsideration is respectfully requested in light of the amendments and/or remarks below. While no fees should be required for entry of this response, if any fees or charges are required, the Commissioner is hereby authorized to charge them to Deposit Account 18-1167.